



STATE OF MAINE  
COMMISSION ON GOVERNMENTAL ETHICS  
AND ELECTION PRACTICES  
135 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0135

## **Agenda**

**December 21, 2022, 9:00 a.m.**

Note: this meeting will be conducted in person and streamed on the Commission's YouTube channel. A link to the channel may be found at [www.maine.gov/ethics](http://www.maine.gov/ethics).

### **1. Ratification of the Minutes of the November 30, 2022 Meeting**

#### **2. Rulemaking**

The Commission will consider whether to amend its rules relating to the Maine Clean Election Act program and its hearing procedures.

#### **3. Proposed Statute Change – Procedures for Independent Expenditure Determination**

Under 21-A M.R.S. § 1019-B, a person spending money on a communication close to an election that names or depicts a candidate may request a determination that the cost is not an independent expenditure. The Commission will consider a statutory amendment directing Commission staff to make the initial determination on these requests which may be appealed to the Commission.

#### **4. Request for Waiver of Late Filing Penalty – Hon. Matthea Daughtry**

Senator Matthea Daughtry was a candidate for re-election in the 2022 general election. She was required to file the 11-Day Pre-General Report on October 28, 2022. Her campaign filed it one day late on October 29. The preliminary penalty for the late report is \$658.21. Sen. Daughtry requests a waiver because the campaign's authorized agent was unavailable during the evening of October 28 and the report was filed 13 minutes late.

*Staff recommendation: the Commission staff recommend reducing the penalty to \$300.00.*

#### **5. Request for Waiver of Late Filing Penalty – Steve LaFreniere**

Steve LaFreniere and his partner, Joy Oakes, of Brownville, Maine, purchased lawn signs with personal funds that were posted in the Brownville area. The signs contained express advocacy promoting Paul LePage and opposing Governor Janet Mills. The signs did not include any statement disclosing who paid for them. Mr. LaFreniere was required to file a 2-Day Pre-General Independent Expenditure Report with the Commission by October 16<sup>th</sup>, but it was not filed until November 7<sup>th</sup>, making the report 22 days late. The preliminary penalty is \$1,099.44. Mr. LaFreniere and Ms. Oakes request a waiver because they did not know that an independent expenditure report was required.

*Staff recommendation: the Commission staff recommend reducing the penalty to \$200.*

**6. Request for Waiver of Late Filing Penalty – York Voter Alliance**

The York Voter Alliance is an association of individuals who fundraised among themselves to purchase signs disseminated in York. The signs contained express advocacy supporting Governor Janet Mills. The signs did not include the full disclaimer language but did include the phrase “York Citizens Alliance” at the bottom of each sign. The group was required to file a 2-Day Pre-General Independent Expenditure Report with the Commission by October 1<sup>st</sup>, but it was not filed until November 14<sup>th</sup>, making the report 44 days late. The preliminary penalty is \$672.61. David Chase of the York Voter Alliance is requesting a waiver because he did not know that an independent expenditure report was required.

*Staff recommendation: the Commission staff recommend reducing the penalty to \$200.*

**7. Request for Waiver of Late Filing Penalty – Robert McCarthy**

Robert McCarthy was a candidate for House District 93. Mr. McCarthy was required to file a 24-Hour Report on November 1, 2022 but did not file it until November 15. The preliminary penalty for the late report is \$308.09. Mr. McCarthy is requesting a waiver of the penalty due to his inexperience, lack of assistance with his campaign, and the size of his campaign.

*Staff recommendation: the Commission staff recommend reducing the penalty to \$300.*

**8. Request for Waiver of Late Filing Penalties – Aroostook County Republican Committee**

The Aroostook County Republican Committee was required to file the 11-Day Pre-General campaign finance report by Friday, October 28<sup>th</sup>, but it was not filed until Sunday, November 6<sup>th</sup>, making the report nine days late. The committee was also required to file a 24-Hour Report by Saturday, November 5<sup>th</sup>, but it was not filed until Monday, November 7<sup>th</sup>, making the report two days late. The combined penalty for the two late reports is \$620. The committee is requesting a waiver of these penalties because the treasurer had Covid at the time the reports were due.

*Staff recommendation: the Commission staff recommend reducing the total penalties to \$220.*

**9. Request for Waiver of Late Filing Penalty – Androscoggin County Democratic Committee**

The Androscoggin County Democratic Committee was required to file the 11-Day Pre-General campaign finance report by Friday, October 28<sup>th</sup>. The report was not filed until Monday, October 31<sup>st</sup>, making the report three days late. The committee is requesting a waiver of the late filing penalty of \$99.94 because the treasurer states she did not receive a reminder about the filing.

*Staff recommendation: the Commission staff recommend not reducing or waiving the \$99.94 penalty.*

**Other Business**

**ADJOURNMENT**